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10/784,135

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Bird D. Blich

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EXAMINER

IWARERE, OLUSEYE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/784,135	Applicant(s) BLITCH ET AL.	
	Examiner OLUSEYE IWARERE	Art Unit 3687	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1,3-13 and 15-39 is/are pending in the application.
- 4a) Of the above claim(s) 2 and 14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1,3-13 and 15-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>07/22/2008</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is in response to the correspondence sent on July 27, 2008. Amendments to the claims have been entered. Claims 2 and 14 have been cancelled. New claims 26 - 39 have been entered. Claims 1, 3 – 13, and 15 – 39, are currently pending and have been considered below.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

4. **Claims 1 – 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberg (6,418,416) in view of Friedman (2002/0082991).**

As per claims 1 and 13, Rosenberg discloses a data processing system and method for managing resources of an organization comprising:

an inventory tracking unit adapted to maintain inventory data for a plurality of resources associated with one or more users within the organization ([abstract]; discusses maintaining inventory data);

an inventory modification unit in communication with the inventory tracking unit and adapted to modify inventory data when the resources associated with one or more of the users changes ([abstract] discusses modifying inventory data);

a bill processing unit adapted to maintain billing data associated with each of said plurality of resources (fig. 1, 157 depicts a website for billing information);

However, Rosenberg fails to explicitly disclose a telecommunications data and a contract management unit adapted to maintain contract data for one or more resource contracts, when said contract data includes telecommunications provider rates wherein each resource contract is associated with one or more of said plurality of resources.

Friedman teaches a telecommunications cost management system with the feature of a contract management unit adapted to maintain contract data for one or more resource contracts, when said contract data includes telecommunications provider rates wherein each resource contract is associated with one or more of said plurality of resources ([0023] discusses a rate database).

From this teaching of Friedman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the tracking and electronic signaling system of DeVries to include the telecommunications data and contract management unit, taught by Friedman, in order to provide means of billing.

As per claims 2 and 14, Rosenberg discloses the claimed invention but fails to explicitly disclose, wherein the resources are telecommunications resources.

Friedman teaches a telecommunications cost management system, wherein the resources are telecommunications resources ([abstract]; the present invention is a data processing system and method for analyzing billing indices regarding billed telecommunications items).

From this teaching of Friedman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the tracking and electronic signaling system of DeVries to include wherein the resources are telecommunications resources, taught by Friedman, in order to provide a specific application.

As per claims 3 and 15, Rosenberg discloses, wherein the inventory modification unit is adapted to initiate orders for new resources ([abstract]; discusses initiating new orders).

As per claims 4 and 16, Rosenberg discloses, wherein the inventory modification unit is adapted to modify inventory data for each of said plurality of resources ([abstract] discusses modifying inventory).

As per claims 5 and 17, Rosenberg discloses, wherein the inventory tracking unit is adapted to automatically update inventory data when new resources are ordered ([abstract]; discusses updating inventory).

As per claims 6 and 18, Rosenberg discloses, wherein the inventory tracking unit is adapted to automatically update inventory data when existing resources are cancelled ([abstract] discusses the removal of an item which is construed as cancellation).

As per claims 7 and 19, Rosenberg fails to explicitly disclose, wherein the processing unit is adapted to identify billing discrepancies between the billing data and the contract data and flags said billing discrepancies for the organization.

Friedman teaches a telecommunications cost management system wherein the processing unit is adapted to identify billing discrepancies between the billing data and the contract data and flags said billing discrepancies for the organization ([abstract] discusses billing discrepancies).

From this teaching of Friedman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Rosenberg to include the identification of billing discrepancies taught by Rosenberg in order to properly manage the system.

As per claim 8, Rosenberg discloses the claimed invention but fails to explicitly, further disclose comprising a reporting unit adapted to generate reports wherein such reports detail the telecommunications services of telecommunications users within the organization.

Friedman discloses a telecommunications cost management system with the feature of a reporting unit adapted to generate reports wherein such reports detail the telecommunications services of telecommunications users within the organization ([abstract] discusses reporting of telecommunications services).

From this teaching of Friedman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Rosenberg to include the reporting unit taught by Friedman, in order to provide means for recording usage.

As per claims 9 and 20, Rosenberg discloses the claimed invention but fails to explicitly disclose wherein the reporting unit is adapted to generate billing disputes based at least on data from the inventory tracking unit.

Friedman teaches a telecommunications cost management system, wherein the reporting unit is adapted to generate billing disputes based at least on data from the inventory tracking unit ([0025] Information from bills 14 as well as the various databases allow bill verification process 16 of system 10 to generate exception reports 30).

From this teaching of Friedman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the tracking and electronic signaling system of Rosenberg to include the generating of billing disputes, taught by Friedman, in order to provide a means of troubleshooting.

As per claims 10 and 21, Rosenberg discloses the claimed invention but fails to explicitly disclose wherein the reporting unit is adapted to generate reports representative of bills approved for payment based at least on data from the inventory tracking unit.

Friedman teaches a telecommunications cost management system, wherein the reporting unit is adapted to generate reports representative of bills approved for payment based at least on data from the inventory tracking unit ([0076] Remittance R1: The purpose of this section is to prepare remittance vouchers to attach to paper bills for approval processing).

From this teaching of Friedman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the tracking and electronic signaling system of Rosenberg to include generating of reports representative of bills approved for payment, taught by Friedman, in order to provide a record of transaction.

As per claims 11 and 22, Rosenberg discloses the claimed invention but fails to explicitly further disclose:

a trouble ticket unit adapted to resolve problems associated with resources and to store historical analytical data.

Friedman teaches a telecommunications cost management system, a trouble ticket unit adapted to resolve problems associated with resources ([0080] Drill down isolates BAN's where problems may exist as indicated by excessive variance) and to

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store historical analytical data ([0085] History 302 provides historical dispute information tracking back on a month by month basis).

From this teaching of Friedman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the tracking and electronic signaling system of Rosenberg to include the resolving of problems associated with resources and storing historical data, taught by Friedman, in order to provide a reference of troubleshooting.

As per claims 12 and 23, Rosenberg discloses, wherein the processor unit is further adapted to compare the billing data, contract data, and inventory data to confirm that the billing data corresponds to current inventory data and contract data ([abstract] discusses maintaining current inventory levels).

As per claim 24, Rosenberg discloses the claimed invention but fails to explicitly further disclose, comprising the step of automatically canceling resources associated with a user when said user leaves the organization.

Friedman teaches a telecommunications cost management system, comprising the step of automatically canceling resources associated with a user when said user leaves the organization ([0042] Similarly, if the circuit, pager, cell phone, or other telecom service was provisioned specifically for an employee of the customer who is no longer actively employed by the company, the item is flagged for deprovision).

From this teaching of Friedman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the tracking and electronic signaling system of Rosenberg to include the step of cancelling resources, taught by Friedman, in order to provide a current account.

As per claim 25, the combination of Rosenberg and Friedman discloses the claimed invention except that it discloses comprising the step of automatically cancelling resources associated with a user when said user leaves the organization ([0042]) Similarly, if the circuit, pager, cell phone, or other telecom service was provisioned specifically for an employee of the customer who is no longer actively employed by the company, the item is flagged for deprovision) instead of comprising the step of adding resources associated with an employee when the employee joins the organization.

From this teaching of the combination of Rosenberg and Friedman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the step of adding resources associated with an employee when the employee joins the organization because it inherently exists. In order to have the step of canceling resources associated with an employee when the employee leaves the organization, they must have been added to begin with.

As per claims 34 and 36, the combination of Rosenberg and Friedman discloses the claimed invention except that it discloses wherein the inventory modification unit is adapted to modify telecommunications inventory data when one or

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more of the one or more telecommunications users leaves the organization ([0042]

Similarly, if the circuit, pager, cell phone, or other telecom service was provisioned specifically for an employee of the customer who is no longer actively employed by the company, the item is flagged for deprovision) instead of modifying telecommunications inventory data when one or more of the one or more telecommunications users joins the organization.

From this teaching of the combination of Rosenberg and Friedman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the step of modifying telecommunications inventory data when one or more of the one or more telecommunications users joins the organization, because it inherently exists. In order to have the step of modifying telecommunications inventory data when the one or more telecommunications users leave the organization, they must have joined to begin with.

As per claims 35 and 37, Rosenberg discloses the claimed invention but fails to explicitly further disclose, wherein the inventory modification unit is adapted to modify telecommunications inventory data when one or more of the one or more telecommunications users leaves the organization.

Friedman teaches a telecommunications cost management system, wherein the inventory modification unit is adapted to modify telecommunications inventory data when one or more of the one or more telecommunications users leaves the organization

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([0042] Similarly, if the circuit, pager, cell phone, or other telecom service was provisioned specifically for an employee of the customer who is no longer actively employed by the company, the item is flagged for deprovision).

From this teaching of Friedman, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the tracking and electronic signaling system of Rosenberg to include the step of modify telecommunications inventory data when one or more of the one or more telecommunications users leaves the organization, taught by Friedman, in order to provide a current account.

As per claims 38 and 39, Rosenberg discloses, wherein the inventory tracking unit is further adapted to maintain inventory data for a plurality of telecommunications resources associated with one or more locations of the organization, and wherein the inventory modification unit is further adapted to modify telecommunications inventory data when one or more locations of the organization changes ([abstract] discusses maintaining data across multiple locations).

5. Claims 26 – 28 and 30 – 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosenberg (6,418,416) in view of Friedman (2002/0082991) further in view of Examiner's Official Notice.

As per claims 26 – 28 and 30 – 33, the combination of Rosenberg and Friedman disclose the claimed invention but fail to explicitly disclose,
wherein the telecommunications provider rate is defined in rates per minute;

wherein the telecommunications provider rate is defined in rates per bandwidth;

wherein the telecommunications provider rate is defined in rates per speed;

wherein the telecommunications provider rate is defined in rates per mileage;

However, The Examiner takes Official Notice that it is old and well known in the art of telecommunications billing to charge rates based on intervals such as time, bandwidth, speed and mileage. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination of Rosenberg and Friedman to include the provide rates per minute, bandwidth, speed and mileage, in order to provide criteria for billing.

Response to Arguments

6. Applicant's arguments with respect to claims 1 - 25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUSEYE IWARERE whose telephone number is (571)270-5112. The examiner can normally be reached on M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Gart can be reached on (571)272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Matthew S Gart/
Supervisory Patent Examiner, Art
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